

516-1453

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Denton County Justice of the Peace Court, Precinct 3, 190 N. Valley Pkwy. Suite 100, Lewisville TX 75067

George Kenneth Schopp v. Fora Financial Holdings LLC

Case No.: 516-1453

Plaintiff: George Kenneth Schopp

1404 Springaire Lane, Lewisville, TX 75077, Denton County, Phone 972-436-9329, Cell No. 469-358-1358

VS.

Defendant: Fora Financial Holdings LLC, 242 West 36th St., 14th Floor, New York, NY 10018, Ph. 212-947-0100

Registered Agent: Jared Feldman, 242 West 36th St., 14th Floor, New York, NY 10018

2016 JAN 28 AM 10:58
CLERK OF THE PEACE
DENTON COUNTY TEXAS

Plaintiffs Original Petition

Relief sought: Plaintiff seeks damages in the amount totaling \$8,500 (eight thousand five hundred US Dollars) plus all court cost and attorney fees, if required, for violations under the Telephone Consumer Protection Act (TCPA) 47 USC-227. This amount consists of five calls directly from the defendant at a statutory amount of \$500 per call and four calls made from their telemarketing representative requesting treble damages of \$1500 per call for the "willingly and knowingly" provision under TCPA.

Complaint: Complaint regards violations under the Telephone Consumer Protection Act. The defendant or its representatives and/or referral source made multiple telemarketing phone calls to the plaintiffs' cellular phone, 469-358-1358 soliciting sales of business lending programs without prior verbal or written consent or any established relationship prior to the original telemarketing calls. The defendant and its representative did so with disregard for the National Do Not Call registry in which the plaintiff has subscribed since or prior to August of 2011. The defendant also is in violation of the FCC Omnibus Declaratory Ruling of 2015 by using an auto dialer and a previous revocation of consent to call was sent to the original company that sold the my contact information to the telemarketer. Furthermore, the plaintiff or his representative intends to prove that the defendant acted in a manner of great deception to violate federal law(s) and intentionally and voluntarily acted under their own free will.

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Statement of Facts: The defendant's telemarketer called from a "spoof number". The phone number displayed on the call recipients caller ID function was 516-453-6886. On December 3, 2015 at 1:50 PM CST called twice, one within a few seconds of the other indicating the use of an auto dialer. On Dec. 4th, 2015 CST the defendant called at 1:16 PM CST and on Dec. 7th at 1:03PM. On the Dec. 7th call, I answered and the telemarketing representative "Jessica" stated that she was with HCG Capital to disguise their true identity and potential liability. There was no consent to call or any established relationship for the initial calls. My name and number were purchased from a third party marketing company that also had no consent to call and was previously revoked in writing.

On December 7th, 2015 I received a call from the defendant at 2:37PM CST. The phone number displayed on the caller ID function was 212-947-0100.

On December 7th, 2015 at 2:42 PM I received an email from the defendant's representative, David Cohen listing the same phone number as above.

More calls from the defendant were made on Dec. 8th at 11:03 AM, Dec. 9th at 9:47 AM and Dec. 10th at 10:54 AM from the same phone number. The last call came on Jan. 4, 2016 at 11:55 AM to tell me that I was removed from their call list. Fora Financial Holdings LLC had my email and mailing address by this time and had a letter of intent to file a lawsuit also stating the request to cease and desist all calls unless they were willing to settle prior to litigation.



George Kenneth Schopp